

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

**DELTA-MONTROSE ELECTRIC  
ASSOCIATION,**

Complainant,

v.

**TRI-STATE GENERATION AND  
TRANSMISSION ASSOCIATION, INC.**

Respondent.

**PROCEEDING NO. 18F-0866E**

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**MOTION TO INTERVENE  
WHITE RIVER ELECTRIC ASSOCIATION, INC.**

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White River Electric Association, Inc., (“WREA”), by and through its undersigned legal counsel, pursuant to Section 40-6-109(1), Colorado Revised Statutes and Rule 1401 of the Rules of Practice and Procedure (4 CCR 723-1) of the Colorado Public Utilities Commission (the “Commission”), moves to intervene as a party in this proceeding. In support of this Motion WREA states as follows:

1. WREA is a cooperative electric association and is a public utility that has been deregulated from Commission rate jurisdiction pursuant to Title 40, Article 9.5, Part 1, of the Colorado Revised Statutes.

2. WREA purchases wholesale electric power and energy from Tri-State Generation and Transmission Association, Inc. (“TSGT”) through a purchase power requirements contract dated July 1, 2007, that expires December 31, 2050, that may be affected by the outcome of this proceeding.

3. TSGT is a Colorado cooperative association; and WREA has a membership interest in TSGT. WREA’s contract and membership interest may be affected by the outcome of this proceeding.

4. WREA has a pecuniary and tangible interest in this proceeding because of the contractual and membership interest owned by WREA in TSGT. WREA is entitled to intervene in this docket since it is probable that WREA’s contractual and membership interests will be impacted as a result of any relief requested by Complainant, Delta-Montrose Electric Association (“DMEA”).

5. Intervention by WREA will not unduly broaden the issues in this proceeding.

6. Although DMEA and TSGT's interests may be similar, neither DMEA nor TSGT can adequately represent WREA's rights and interests because WREA's interests may be uniquely affected by the outcome of these proceedings.

7. The nature and quantity of any evidence to be presented by WREA is not yet known, however WREA will abide by the time limits for discovery and submission of testimony and exhibits and the submission of statements of position. By Decision No. C18-1177-I, DMEA and TSGT will file a joint proposed procedural schedule no later than January 28, 2019. WREA will abide by the procedural schedule adopted by the Commission.

8. Intervention is timely (deadline is January 9, 2019) based on the Order to Satisfy or Answer the Complaint that was issued in this Docket on December 10, 2018. TSGT has been allowed by the Commission to file its Response to the Complaint by January 15, 2019, by Decision No. C18-1177-I.

9. WREA requests that notice of matters relating to this proceeding and copies of orders, testimony, exhibits, and all pleadings, discovery, and other communications be served upon the following:

Trina K. Zagar-Brown  
General Counsel  
White River Electric Association, Inc.  
233 6<sup>th</sup> Street  
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10. WREA may file a Nondisclosure Agreement regarding confidential information and highly confidential information. WREA does not now intend to propound discovery requests to

DMEA or TSGT, however, based on information provided by DMEA or TSGT to the Commission and to other parties, WREA may determine to propound discovery to DMEA or TSGT related to such responses of either of them to discovery propounded by parties to the proceeding. WREA requests that DMEA and TSGT provide WREA with a copy of any response to discovery made by any party.

WREA has accepted electronic filing of documents through the Commission's E-filing system.

Respectfully submitted this 9<sup>th</sup> day of January, 2019.

By: s/Trina K. Zagar-Brown  
Trina K. Zagar-Brown, AR#31306  
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**CERTIFICATE OF SERVICE**

I hereby certify that on January 9, 2019, the foregoing document was served via electronic filing with the Commission and served on those parties shown on the Commission's Certificate of Service accompanying such filing:

*s/ Trina K. Zagar-Brown*

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Trina K. Zagar-Brown